

REMARKS

This Amendment is being filed in response to the Office Action mailed August 29, 2008 which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the remarks to follow are respectfully requested.

Claims 1-8 and 10-15 remain in this application, where claims 6 and 16 had been canceled without prejudice. Claims 1 and 10 are independent.

In the Office Action, claims 10-15 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 7,006,129 (McClure) in view of U.S. Patent Application Publication No. 2002/0003571 (Schofield) and U.S. Patent Application Publication No. 2003/0053690 (Trifonov). Further, claims 1-8 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over McClure, Schofield and Trifonov in view of U.S. Patent Application Publication No. 2003/0214584 (Ross). It is respectfully submitted that claims 1-8 and 10-15 are patentable over McClure, Schofield, Trifonov and Ross for at least the following reasons.

On page 4 of the Office Action, is it alleged that column 7,

lines 38-44 of McClure disclose image processing means arranged to eliminate high lights in a registered image. Applicants respectfully traverse and point out that column 7, lines 38-44 disclose:

At the same time, the camera will be appropriately equipped to adjust its lighting conditions such that an appropriate display may be provided even though another vehicle is close behind with headlights shining into the camera. Technology for this type of lighting adjustments is known, and therefore need not be described herein.

That is, McClure merely discloses that the camera is adjusted to capture a better image. The captures or registered image is not manipulated in any way.

Trifonov is cited to allegedly show digital enhancement of captured digital images. It is respectfully submitted that any enhancement in Trifonov is to improve contrast, as recited in paragraph [0034], line 4, for example.

There is simply no disclosure or suggestion in McClure, Trifonov, and combination thereof, of the present invention as recited in independent claim 1, and similarly recited in independent claim 10 which, amongst other patentable elements, recites (illustrative emphasis provided):

the viewing system further comprising an image processing means arranged to eliminate high lights that cause blinding in a registered image.

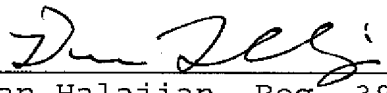
Eliminating high lights that cause blinding in a registered image is nowhere disclosed or suggested in McClure and Trifonov, alone or in combination. Rather, Trifonov merely discloses to enhance contrast.

Schofield and Ross are cited to allegedly show other features and do not remedy the deficiencies in McClure and Trifonov. Accordingly, it is respectfully submitted that independent claims 1 and 10 should be allowable. In additions, claims 2-8 and 11-15 should be allowable at least based on their dependence from independent claims 1 and 10.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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